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**A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF
SUPERVISORS WAS HELD JUNE 9, 2005 AT 11:00 A.M. IN WARRENTON,
VIRGINIA**

P R E S E N T Mr. Raymond E. Graham, Chairman; Mr. Harry F. Atherton, Vice-Chairman; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling; Mr. Paul S. McCulla, County Administrator; Mr. Kevin Burke, Acting County Attorney

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

WARRENTON-FAUQUIER AIRPORT UPDATE

Anthony I. Hooper, Deputy County Administrator, and George Paris, of Campbell & Paris, updated the Board of Supervisors on the status of improvement projects that are underway, budget development, and future plans for the Warrenton-Fauquier Airport.

**A WORK SESSION TO REVIEW THE DEVELOPMENT OF THE FAUQUIER
COUNTY WATER RESOURCE MANAGEMENT PLAN**

Denise Harris, Water Resource Management Plan Project Officer; Jamie Emery of Emery & Garrett Groundwater, Inc.; and David Hirschman of Biohabitats of Virginia, briefed the Board of Supervisors on Fauquier County's groundwater resources, and the current development of the Fauquier County Water Resource Management Plan.

A JOINT WORK SESSION WITH THE FAUQUIER COUNTY SCHOOL BOARD

The Board of Supervisors and the Fauquier County School Board held a joint work session to discuss applications to obtain a Comprehensive Plan Amendment and Special Exceptions in order to include the proposed third high school site in the New Baltimore Service District and to allow for extension of central utilities to serve the proposed school.

**A WORK SESSION TO DISCUSS THE SUBMISSION OF A GRANT
APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY**

Philip Myer, Chief of the Office of Emergency Services, reviewed with the Board of Supervisors a proposed application for the Department of Homeland Security Staffing for Adequate Fire & Emergency Response (SAFER) Grant.

**A CLOSED SESSION TO DISCUSS POTENTIAL ACQUISITION AND
DISPOSITION OF REAL PROPERTY**

Mr. Graham moved to go into a closed meeting, pursuant to §2.2-3712 of the Code of Virginia, for discussion or consideration of condition, acquisition or use of real property for public purposes, and for consultation with legal counsel pertaining to same. Mr. Downey seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *Mr. William G. Downey*
Abstention: *None*

Upon reconvening from the closed meeting, Mr. Graham moved, without objection, to adopt the following certification.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 9th day of June 2005, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

The meeting was reconvened in Regular Session at 6:30 P.M.

ADOPTION OF THE AGENDA

Mr. Atherton moved to adopt the agenda, with the following changes. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

- Add regular agenda item #10, A Resolution to Authorize the Submittal for Department of Homeland Security SAFER Grant, and renumber subsequent agenda items accordingly.

CITIZENS' TIME

- Janet Davis, Cedar Run District, spoke in opposition to locating the new high school on Route 605.

- Maureen Riordan, Scott District, spoke in support of locating the new high school on Route 605.
- Barbara Consentino, Cedar Run District, spoke in opposition to locating the new high school on Route 605.
- Larry Evans, Scott District, spoke in opposition to locating the new high school on Route 605.
- Thomas Burke, Scott District, spoke in opposition to locating the new high school on Route 605.
- Vincent Delgado, Cedar Run District, spoke in support of locating the new high school on Route 605.
- Suzanne Scheer, Cedar Run District, spoke in opposition to locating the new high school on Route 605.
- Rosa Tucker, Cedar Run District, spoke in opposition to locating the new high school on Route 605.

PROCLAMATIONS AND RECOGNITIONS

- Jon Phillippe, of the Virginia Lakes & Watershed Association, presented Carl Bailey, Chairman of the Fauquier County Parks and Recreation Board, with an Award from the Virginia Lakes & Watershed Association to Fauquier County for Excellence in the Maintenance and Operation of Licking Run Dam.
- Mr. Atherton presented to Harry Richmond A Proclamation to Designate June 25-26, 2005 as Amateur Radio Weekend in Fauquier County.
- Mr. Downey presented to Bill Weber A Proclamation to Acknowledge and Honor the Contributions of Dennis Charles McMullen, Jr. to the Citizens of Fauquier County.

CONSENT AGENDA

Mr. Atherton moved to adopt the following consent agenda items. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

Approval of the Minutes for the May 12, 2005 Regular Meeting of the Fauquier County Board of Supervisors

A Resolution to Increase the Tipping Fee for Construction and Demolition Debris to Forty-Five Dollars (\$45.00) Per Ton

RESOLUTION

A RESOLUTION TO INCREASE THE TIPPING FEE FOR CONSTRUCTION AND DEMOLITION DEBRIS TO FORTY-FIVE DOLLARS (\$45.00) PER TON

WHEREAS, on July 1, 2001, Fauquier County began operating the construction and demolition debris landfill; and

WHEREAS, the volume of waste received is exceeding the monthly estimates and, therefore, fee adjustments are recommended to best utilize the available space and to control the volume of waste being received; and

WHEREAS, the financial needs of the landfill enterprise are significant, as reserves are required associated with closure and opening new cells in the future; and

WHEREAS, on May 12, 2005, the Board of Supervisors conducted a public hearing to receive citizens' comments concerning the fee increase; and

WHEREAS, it appears that the current charge of thirty-eight dollars (\$38.00) per ton can be increased to forty-five dollars (\$45.00) per ton without negative impacts; now, therefore, be it

RESOLVED, by the Fauquier County by of Supervisors this 9th day of June 2005, That the tipping fee for construction and demolition debris be, and is hereby, increased to forty-five dollars (\$45.00) per ton; and, be it

RESOLVED FURTHER, That this increase shall take effect June 1, 2005.

A Resolution to Approve the Northwestern Regional Jail Authority to Enter into A Preliminary Design Agreement with Howard Shockey and Sons, Inc. for the Construction of a 96-Bed Housing Unit ("Third Pod"), and to Approve the Compensation of Howard Shockey and Sons, Inc. for Actual Design Costs Plus 15% in the Event of Termination of the Project

RESOLUTION

A RESOLUTION TO AUTHORIZE THE NORTHWESTERN REGIONAL JAIL AUTHORITY TO ENTER INTO A PRELIMINARY DESIGN AGREEMENT WITH HOWARD SHOCKEY AND SONS, INC. FOR DESIGN OF A 96-BED HOUSING UNIT ("POD 3"), AND TO COMPENSATE HOWARD SHOCKEY AND SONS, INC. FOR ACTUAL DESIGN COSTS PLUS 15% IN THE EVENT THAT THE PROJECT IS TERMINATED

WHEREAS, the City of Winchester, as the designated Fiscal Agent for expansion of the Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center, solicited proposals in accordance with the Commonwealth of Virginia Public-Private Education Facilities and Infrastructure Act (PPEA) of 2002 to design, construct, and furnish a 96-bed Pod 3 addition to the Regional Jail; and

WHEREAS, on May 24, 2005, Clarke County, Fauquier County, Frederick County and the City of Winchester resolved to convert and re-designate the Clarke-Fauquier-Frederick-Winchester Regional Jail Board as the Northwestern Regional Jail Authority with all the powers and limitations specified in Code of Virginia §53.1-106; and

WHEREAS, Howard Shockey and Sons, Inc., of Winchester, Virginia, submitted the only proposal to design, construct, and furnish the 96-bed Pod 3 addition by January 2007, and a draft Comprehensive Agreement under which the project will be conducted as required under provisions of the PPEA of 2002; and

WHEREAS, the Regional Jail Authority convened on May 26, 2005 to review the proposal and the draft Comprehensive Agreement submitted by Howard Shockey and Sons, Inc. to design, construct, and furnish the 96 bed, Pod 3 addition by January 2007; and

WHEREAS, the draft Comprehensive Agreement commits the participating jurisdictions to only those actual costs incurred by Howard Shockey and Sons, Inc., during the design of the 96-bed Pod 3 addition plus 15% of the actual cost, incurred up to the point of agreement termination; and

WHEREAS, completion and occupancy of the 96-bed Pod 3 addition by January 2007 remains critical to safe and secure correctional operations in the regions of the participating jurisdictions, and is contingent upon immediate start of preliminary design operations; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of June 2005, That the Northwestern Regional Jail Authority be, and is hereby, authorized to enter into a preliminary design agreement for the Pod 3 addition with Howard Shockey and Sons, Inc.; and, be it

RESOLVED FURTHER, That in the event that the project is terminated, the Jail Authority be, and is hereby, authorized to compensate Howard Shockey and Sons, Inc. for actual design costs plus 15%.

A Resolution to Award a Contract for Landfill Operations to Hamilton Rich & Sons, Inc.

RESOLUTION

A RESOLUTION TO AWARD A CONTRACT FOR LANDFILL OPERATIONS TO HAMILTON RICH & SONS, INC.

WHEREAS, on June 30, 2005, the existing contract for operating the landfill expires; and

WHEREAS, on April 13, 2005, Fauquier County requested proposals for landfill operations, and has determined that the proposal of Hamilton Rich & Sons, Inc. is the most responsive to the needs and requirements of the County; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 9th day of June 2005, That the County Administrator be, and is hereby, authorized to execute the contract for landfill operating services with Hamilton Rich & Sons, Inc., in accordance with the contract terms contained in the proposal dated May 3, 2005, with the exception of fees and services that were negotiated on May 20, 2005.

COMPREHENSIVE PLAN AMENDMENT #CPAM05-CT-005 AND SPECIAL EXCEPTIONS #SPEX05-CT-017, #SPEX05-CT-018 AND #SPEX05-CT-019 – E.C. INVESTORS, LLC, OWNER AND FAUQUIER COUNTY SCHOOL BOARD, APPLICANT – HS-3, FAUQUIER COUNTY PUBLIC SCHOOLS

Mr. Robison moved to take from the table the motion to adopt the following resolution. Mr. Atherton seconded and, following discussion, the vote for the motion was 3 to 2 as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. Richard W. Robison</i>
<i>Nays:</i>	<i>Mr. William G. Downey; Mr. Chester W. Stribling</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO DENY COMPREHENSIVE PLAN AMENDMENT CPAM05-CT-005 AND SPECIAL EXCEPTIONS SPEX05-CT-017, SPEX05-CT-018, SPEX05-CT-019 TO ALLOW FOR A HIGH SCHOOL

WHEREAS, Fauquier County School Board, applicant, has requested a Comprehensive Plan Amendment CPAM05-CT-005; a Category 5 Special Exception SPEX05-CT-017, a Category 20 Special Exception SPEX05-CT-018 and a Category 26 Special Exception SPEX05-CT-019 to allow for the construction of a high school on the property identified by PIN 7904-66-5674-000; and

WHEREAS, the requested applications consisting of Comprehensive Plan Amendment CPAM05-CT-005 would allow for the inclusion of the proposed school site in the New Baltimore Service District and allow for extension of central utilities to serve the proposed school; Special Exception SPEX05-CT-017 a Category 5 Special Exception, would allow for a school in the RA zoning district; Special Exception SPEX05-CT-018 a Category 20 Special Exception would allow for an above ground sewer pumping facility; and Special Exception SPEX05-CT-019 a Category 26 Special Exception would allow for a reduction of non-common open space; and

WHEREAS, on March 31, 2005, the Planning Commission held a public hearing on all of the applications and voted to recommend denial of the Comprehensive Plan Amendment to the Board of Supervisors for the following reasons:

1. The proposal for is not consistent with the Comprehensive Plan.
2. The proposal failed to demonstrate that there were no other alternatives available, nor did it show that any other options were pursued and then eliminated due to cost, location, or other reason.

; and

WHEREAS, on April 26, 2005, the Planning Commission considered the three (3) Special Exceptions and recommended that the Board of Supervisors deny these applications; and

WHEREAS, on May 12, 2005, the Fauquier County Board of Supervisors conducted a public hearing and considered the written and oral testimony; and

WHEREAS, the Fauquier County Board of Supervisors concurred with the judgment of the Planning Commission and finds that the Comprehensive Plan Amendment is not warranted for this request and the applicant has not met the Fauquier County Zoning Ordinance General Standards of Article 5-006 nor the specific standards of Articles 5-2002, 5-2600 and 5-2601; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of June 2005, That Comprehensive Plan Amendment CPAM05-CT-005 and its three (3) companion Special Exceptions SPEX05-CT-017, SPEX05-CT-018, SPEX05-CT-019, E.C. Investors, LLC, Owner, and Fauquier County School Board, Applicant, be, and are hereby, denied.

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 2-308.4 TO ELIMINATE DENSITY CREDIT FOR FLOODPLAIN

Following discussion, Mr. Graham moved to postpone until the next regular meeting on July 14, 2005, a decision on a proposed Zoning Ordinance text amendment to Section 2-308.4 to eliminate density credit for floodplain. Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 5-001 TO ESTABLISH THAT AFTER SPECIAL EXCEPTIONS OR SPECIAL USE

PERMITS ARE ISSUED, ALL SUBSEQUENT CHANGES IN USE MUST BE APPROVED BY AMENDMENT OF THE SPECIAL EXCEPTION OR SPECIAL USE PERMIT

Mr. Atherton moved to adopt the following resolution. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 5-001 TO ESTABLISH THAT AFTER SPECIAL EXCEPTIONS OR SPECIAL USE PERMITS ARE ISSUED, ALL SUBSEQUENT CHANGES IN USE MUST BE APPROVED BY AMENDMENT OF THE SPECIAL EXCEPTION OR SPECIAL USE PERMIT

WHEREAS, on March 31, 2005, the Planning Commission held a public hearing on the proposed amendment and forwarded the proposed text amendment to the Board of Supervisors with a unanimous vote recommending its adoption; and

WHEREAS, on May 12, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the Board finds it necessary and appropriate to adopt this Ordinance; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance, consistent with good zoning practices, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 9th day of June 2005, That Section 5-001 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

5-001

[1 through 6 – same]

7. ~~No new~~ The Board or BZA may impose a condition that specific uses allowed by right on a property subject to a special use permit or a special exception shall not be commenced unless: (1) authorized by an amendment to the issued special use permit or special exception; or (2) the property owner elects to void his permit or special exception through delivery of a

written notarized statement of relinquishment to the Zoning Administrator.
This limitation shall be included as a condition upon each issued special use permit or special exception.

**A RESOLUTION TO AUTHORIZE THE SUBMITTAL FOR DEPARTMENT OF
HOMELAND SECURITY STAFFING FOR ADEQUATE FIRE & EMERGENCY
RESPONSE (SAFER) GRANT**

Mr. Graham moved to adopt the following resolution. Mr. Robison seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO AUTHORIZE THE SUBMITTAL FOR DEPARTMENT OF
HOMELAND SECURITY STAFFING FOR ADEQUATE FIRE & EMERGENCY
RESPONSE (SAFER) GRANT

WHEREAS, the U.S. Department of Homeland Security, through the Office of Domestic Preparedness (ODP), has announced a grant cycle beginning May 28, 2005, and closing June 28, 2005; and

WHEREAS, the purpose of the grant is to fund firefighter personnel through the Staffing for Adequate Fire & Emergency Response (SAFER) Grant; and

WHEREAS, if awarded the grant, the County will receive \$400,000 over four years, requiring a local match of \$613,776 over the same four years, to fund four firefighter-paramedics; and

WHEREAS, Fauquier County will be required to fully fund the personnel in the fifth year; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of June 2005, That the County Administrator be, and is hereby, authorized to execute for and on behalf of Fauquier County, a public entity established under the laws of the Commonwealth of Virginia, the 2005 DHS SAFER grant application, and to file such application through the Office of Domestic Preparedness for the purpose of obtaining certain Federal financial assistance; and, be it

RESOLVED FURTHER, That Fauquier County, a public entity established under the laws of the Commonwealth of Virginia, hereby authorizes its agent to provide information to the Office of Domestic Preparedness (ODP) for all matters pertaining to

such Federal financial assistance any and all information pertaining to this grant as may be requested.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Rappahannock Emergency Medical Services Council, Inc.: Kaye Horst, re-appointed for a three-year term, to expire June 14, 2008.
- Social Services Board – Scott District: Sharon Medvitz, re-appointed for a four-year term, to expire June 30, 2009.
- Library Board – Scott District: Barbara Severin, re-appointed for a four-year term, to expire June 30, 2009.
- Architectural Review Board – Scott District: Dean Eckelberry, re-appointed for a four-year term, to expire August 20, 2009.
- Town/County Liaison Committee – Board of Supervisors Representatives: Harry F. Atherton and Richard W. Robison

SUPERVISORS' TIME

- Mr. Graham commended Sarah Bowman, a student at Fauquier High School, for her recent athletic and scholastic achievements.

ANNOUNCEMENTS

- Mr. McCulla announced that Mr. Graham and Mr. Robison will be joining officials from the Town of Warrenton on June 22, 2005, for a site visit of the Culpeper County parking garage.
- Mr. McCulla announced that Mr. Graham will attend a panel at Highland School sponsored by the Fauquier Times-Democrat newspaper on the subject of affordable housing on June 23, 2005.
- Mr. McCulla announced that the next regular meeting of the Fauquier County Board of Supervisors will be held on July 14, 2005, at the Warren Green Building meeting room, located at 10 Hotel Street in Warrenton, Virginia.

A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE FY 2005 ADOPTED BUDGET IN THE AMOUNT OF \$16,249,166 AND FY 2006 ADOPTED BUDGET IN THE AMOUNT OF \$111,298

A public hearing was held to consider various budget related issues in the amount of \$13,489,713 in appropriations and \$2,759,453 in transfers for FY 2005, and \$75,748 in appropriations and \$35,550 in transfers for FY 2006. Bryan Tippie, Budget Director, summarized the proposed amendments. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO AMEND THE FY 2005 ADOPTED BUDGET IN THE AMOUNT OF \$16,249,166 AND THE FY 2006 ADOPTED BUDGET IN THE AMOUNT OF \$111,298

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 29, 2004, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2005 Budget and on March 31, 2005 adopted the Fauquier County FY 2006 Budget; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, the Finance Committee at the May 10, 2005 meeting, recommended FY 2005 budget adjustments of \$16,249,166 and FY 2006 budget adjustments of \$111,298 for the purposes set forth below; and

WHEREAS, on June 9, 2005, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of June 2005, That the FY 2005 Budget be, and is hereby, amended in the amount of \$16,249,166 and the FY 2006 Budget amended in the amount of \$111,298 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
FY 2005					
State Funds	3-100-244100-0150	\$177	Sheriff's Office	4-100-031240-8201	\$177
State Funds	3-100-244100-0150	\$1,214	Sheriff's Office	4-100-031240-8201	\$1,214
Federal Funds	3-100-331000-0040	\$108	Sheriff's Office	4-100-031230-8201	\$108
Federal Funds	3-100-331000-0040	\$8,938	Sheriff's Office	4-100-031230-8201	\$8,938
Federal Funds	3-100-331000-0040	\$2,513	Sheriff's Office	4-100-031230-8201	\$2,513
Insurance Recovery	3-100-411000-0010	\$3,276	Sheriff's Office	4-100-031200-3311	\$3,276
Federal Funds	3-100-331000-0046	\$5,025	Sheriff's Office	4-100-031200-6031	\$5,025

Federal Funds	3-100-331000-0056	\$50,908	Sheriff's Office	4-100-031200-1201 4-100-031200-8201 4-100-031200-6010 4-100-031200-6031	\$25,908 \$23,000 \$1,500 \$500
Federal Funds	3-100-331000-0171	\$1,831	Sheriff's Office	4-100-031200-6011	\$1,831
State Funds	3-100-244100-0150	\$6,707	Sheriff's Office	4-100-031240-8201	\$6,707
Detention Center Generated Funds	3-100-160500-0001 3-100-160500-0002	\$25,427 \$5,760	Sheriff's Office	4-100-033200-6047	\$31,187
State Funds	3-100-244100-0150	\$87	Sheriff's Office	4-100-031240-8201	\$87
State Funds	3-100-244005-0015	\$2,498	SPCA	4-100-091400-5670	\$2,498
Bond Proceeds	3-302-414000-0010	\$3,650,000	Budget Office	4-302-66610-8710	\$3,650,000
Local Funds	3-270-189900-0050	\$996	F&RA	4-270-032250-6013	\$996
Local Funds	3-270-189900-0050	\$400	F&RA	4-270-032250-6013	\$400
Local Funds	3-270-189900-0050	\$680	F&RA	4-270-032250-6014	\$680
Local Revenue	3-270-111001-0005 3-270-111002-0003 3-270-116001-0003 3-270-116001-0004	\$1,467,131 \$21,049 \$6,999 \$4,076	F&RA	3-271-111001-0005 3-271-112001-0002 3-271-111002-0003 3-271-116001-0003 3-271-116001-0004	\$1,369,918 \$97,213 \$21,049 \$6,999 \$4,076
Local Funds	3-271-189900-0050	\$234	F&ES	4-270-032210-6004	\$234
Federal Funds	3-271-331500-0020	\$188,956	F&ES	4-271-032420-3160	\$188,956
Federal Funds	4-271-032420-3160	\$141,836	F&ES	4-220-031410-8205 4-100-031200-8201	\$58,080 \$83,756
Trust Fund Revenue	3-230-189300-0040	\$10,228	Parks & Recreation	4-302-71140-8504	\$10,228
State Funds	3-100-230000-0060	\$4,800	Registrar	4-100-013200-6047	\$4,800
Federal Funds	3-100-337000-0012	\$6,602	Library	4-100-073100-6050	\$6,602
State Funds	3-302-244500-0023	\$33,600	Library	4-302-73100-8301	\$33,600
Federal Funds	3-205-332000-0019	\$265,375	School Division	4-205-61120-6013- 200-200	\$265,375
Federal Funds	3-205-332000-0029	\$6,514	School Division	4-205-61108-6047- 200-190 4-205-61108-6050- 200-190	\$1,675 \$4,839
Federal Funds	3-205-332000-0031	\$3,605	School Division	4-205-61122-6013- 200-200	\$3,605
Insurance	3-205-411000-0010	\$3,035	School Division	4-205-61100-3500- 306-100 4-205-61100-6001- 306-100 4-206-61100-6020	\$278 \$232 \$2,525

School Funds	4-205-61100-1120-202-100	\$49,513	School Division	4-206-061100-6020	\$75,400
	4-205-61100-2100-202-100	\$3,788			
	4-205-61100-2210-202-100	\$5,461			
	4-205-61100-2212-202-100	\$337			
	4-205-61100-2310-202-100	\$4,440			
	4-205-61100-2720-202-100	\$158			
	4-205-61100-1120-204-100	\$11,632			
	4-205-61100-2100-204-100	\$71			
Fund Balance	3-100-419000-0010	\$100,290	Old Jail Museum	4-100-081600-5687	\$100,290
Fund Balance	3-100-419000-0010	\$433,000	Courthouse/Adult Detention Center	4-302-021920-8306 4-302-033200-8304	\$358,000 \$75,000
Federal Funds	3-100-335000-0010	\$275,526	Social Services	4-100-053120-5702	\$25,207
State Funds	3-100-24100-0050	\$388,119		4-100-053120-5706	190,125
				4-100-053120-5715	\$41,190
				4-100-053120-5714	\$110,423
				4-100-053180-5722	\$3,669
				4-100-053180-5722	\$3,005
				4-100-053180-5715	\$9,209
				4-100-053110-1302	\$14,500
				4-100-053130-5717	\$35,000
				4-100-053120-5706	\$190,126
				4-100-053120-5715	\$41,191
Federal Funds	3-504-338000-0020	\$4,302,871	Airport	4-504-81743,8215	\$4,780,968
State Funds	3-504-244700-0020	\$556,429		4-504-TBD	\$30,000
Local Funds	3-504-415000-0100	\$13,148		4-504-81745-3160	\$89,438
	3-504-192000-0020	\$104,112		4-504-81745-8215	\$76,154
Fund Balance	3-100-419000-0010	\$175,000	Information Technology	4-302-031200-8103	\$175,000
School Funds	4-205-62240-1130-900-000	\$250,000	School Division	4-206-61100-6020	\$250,000
State Funds	3-205-242000-0001	\$230,275	School Division	4-205-67300-9203-900-000	\$110,220
	3-205-242000-0002	\$218,262		4-205-64100-3140-900-000	\$35,100
	3-205-242000-0004	\$12,188		4-205-64100-3310-900-000	\$30,000
	3-205-242000-0007	\$1,924		4-205-64100-3160-900-000	\$511,688
	3-205-242000-0008	\$1,966			
	3-205-242000-0012	\$22,228			
	3-205-242000-0014	\$5,310			
	3-205-242000-0017	\$4,738			
	3-205-242000-0021	\$9,244			
	3-205-242000-0023	\$7,949			
	3-205-242000-0028	\$1,977			
	3-205-242000-0033	\$85,135			
	3-205-242000-0034	\$26,000			
	3-205-242000-0046	\$11,453			
	3-205-242000-0048	\$39,498			
	3-205-242000-0053	(\$105)			
	3-205-242000-0065	(\$7,801)			
	3-205-242000-0075	\$2,329			
	3-205-242000-0099	\$8,112			
	3-205-243000-0006	\$363			

	3-207-242000-0015	\$5,963			
State Funds	4-205-67300-9203-900-000	\$110,220	School Division	4-302-66600-8718	\$110,220
State Funds	3-270-244100-0090	\$17,500	F&RA	4-270-032200-6004	\$17,500
State Revenue	3-271-189900-0050	\$20,505	F&ES	4-271-032420-3160 4-271-032420-6014	\$19,437 \$1,068
Fund Balance	3-100-419000-0010	\$50,000	Information Technology	4-302-012511-8105	\$50,000
Federal Funds (Transfer)	4-271-032420-3160	\$46,120	F&ES	4-271-032420-6050 4-271-032420-8203 4-271-032420-5600	\$4,667 \$28,337 \$13,116
Fleet Maintenance Funds (Transfer)	4-210-43414-6007	\$476,128	Fleet Maintenance	4-210-43414-6009	\$476,128
Airport Fund (Transfer)	4-504-81733-8220 4-504-92300-3140 4-504-92200-8215	\$500,000 \$1,200,000 \$525,205	Airport	4-504-81732-8220 4-504-81743-8215 4-504-81745-8215	\$500,000 \$1,200,000 \$525,205
Capital Funds (Transfer)	4-302-66600-8700	\$12,000	School Division	4-302-66600-8724	\$12,000
FY 2006 Local Funds	3-220-129000-0002	\$75,748	Joint Communications	4-220-031410-1101 4-220-031410-1715 4-220-031410-2100 4-220-031410-2210 4-220-031410-2310 4-220-031410-2400	\$53,206 \$2,400 \$4,254 \$5,853 \$9,428 \$607
Contingency Reserve	4-100-091400-9999	\$35,550	Community Services Board	4-100-052500-5620	\$35,550
TOTAL		\$16,360,464			\$16,360,464

A PUBLIC HEARING TO RECEIVE CITIZENS' COMMENTS ON THE PROPOSED USE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS

A public hearing was held to consider the proposed use of Edward Byrne Memorial Justice Assistance Grant (JAG) funds in the amount of \$14,161. The Sheriff's Office proposes to use this grant money to help fund the purchase of specialized equipment necessary for the Sheriff's Emergency Response Team. The equipment will allow the Fauquier County Sheriff's Office ability to enhance public safety. Mr. McCulla summarized the proposed use of grant funds. No one else spoke. The public hearing was closed. Following discussion, Mr. Stribling moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS

WHEREAS, the Federal Government provides limited funding for law enforcement through the Justice Assistance Grant Program; and

WHEREAS, Fauquier County has been awarded \$14,161 in Edward Byrne Memorial Justice Assistance Grant (JAG) funds for the purchase of specialized equipment necessary for the Sheriff's Emergency Response Team; and

WHEREAS, on June 9, 2005, the Board of Supervisors held a public hearing to receive citizens' comments regarding the use of the JAG funds; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of June 2005, That the Sheriff's Office be, and is hereby, authorized to accept the Edward Byrne Memorial Justice Assistance Grant (JAG) Funds on behalf of Fauquier County.

A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO SECTION 19-18 OF THE FAUQUIER COUNTY CODE TO AUTHORIZE THE ISSUANCE OF AN ADMINISTRATIVE PERMIT TO PERMIT INDIVIDUAL WELLS WITHIN 300 FEET OF A PUBLIC WATER SUPPLY WHERE CAPACITY IN NOT AVAILABLE BUT IS ANTICIPATED

A public hearing was held to consider an amendment to Section 19-18 of the Fauquier County Code that will permit a temporary well to be constructed with an administrative permit, provided that public water is reasonably anticipated to be available within two (2) years. Mr. Atherton summarized the proposed amendment. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Downey seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE TO AMEND SECTION 19-18 OF THE FAUQUIER COUNTY CODE TO AUTHORIZE THE ISSUANCE OF AN ADMINISTRATIVE PERMIT TO PERMIT INDIVIDUAL WELLS WITHIN 300 FEET OF A PUBLIC WATER SUPPLY WHERE CAPACITY IS NOT AVAILABLE BUT IS ANTICIPATED TO BE AVAILABLE WITHIN TWO YEARS

WHEREAS, Section 19-18 of the County Code currently authorizes permits for individual wells within 300 feet of a waterline where the service provider lacks capacity only by special exception; and

WHEREAS, the Board of Supervisors, after due notice and public hearing, has determined that it is in the best interest of the health, safety, and welfare of the citizens of Fauquier County to permit construction of a temporary drinking water well by administrative permit, if capacity is reasonably anticipated in the public water supply within two years; now therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 9th day of June 2005, That Section 19-18 of the Code of Fauquier County be, and is hereby, amended to provide for an administrative permit under the circumstances set forth in the amended Ordinance, which Section shall read as follows:

Sec. 19-18. Installation, replacement or repair of individual water systems within three hundred feet of public water supply system.

The owner of any building or structure for which water is required, and for which building permits for such building or structure are issued after April 20, 1982, shall be required to connect such building or structure to approved public water supply system, provided that said building or structure is within three hundred (300) feet of approved public water supply system and that the public water system provider has the necessary capacity to permit the connection. In addition, if any water system is found by the County Health Department to be polluted or not potable, it shall be unlawful for any person to replace or repair any water system, or any part thereof, in any manner to improve its operating conditions, if the public water supply system is within three hundred (300) feet of any building or structure which such water system served; provided, that it not be unlawful to make emergency repairs so as to permit use of the facility pending connection to the public water supply system, provided such connection is made in the most expedient manner, and provided the Health Department is notified of such connection or temporary repairs. It is further provided that the owner of any building or structure for which water is required and which is connected to an approved public water supply system shall not disconnect the building or structure from such public water supply system. If the public water system provider does not have the necessary capacity to permit the connection to the public water system, the landowner may install an individual well upon the grant of a special exception pursuant to section 3-331 of the County Zoning Ordinance. If, however, an owner of an existing single-family residential lot can demonstrate that it is reasonably foreseeable that the public water system will have adequate capacity to serve the lot within two years, the owner may obtain an administrative permit to install an individual well upon recordation of an agreement to cease using the individual well for potable water and

connect to the public water supply immediately when capacity becomes available. The agreement shall include such other conditions as may be necessary to protect the public water supply. This section shall not be construed to authorize the construction of irrigation wells within 300 feet of an existing water supply with capacity, which is expressly prohibited.

(Ord. No. 03-7, 10-20-03)

PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES – SOIL REPORT

A public hearing was held to consider a Zoning Ordinance Text Amendment to create a new Subsection 46 to Section 12-501 requiring submission of a Type 1 Soil Report or a Preliminary Soil Report as part of all Major Site Plans. Mr. Graham summarized the proposed amendment. No one else spoke. The public hearing was closed. Following discussion, Mr. Graham moved to refer the proposed text amendments back to the Planning Commission for further review and for a concise definition of the term “Major Site Plans.” Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES – RETAIL SALES

A public hearing was held to consider a Zoning Ordinance Text Amendment to Section 3-315 to create a new classification for wholesale trade establishment with associated retail sales larger than 50,000 square feet, and allow them only by Special Exception in the C-2 and I-1 Districts; and, to Section 3-312, Subsections 4 and 5, to allow retail sales in buildings larger than 50,000 square feet only by Special Exception in the C-2 and C-3 Districts. Kimberley Johnson, Zoning Administrator, summarized the proposed amendment. Colin Cantrell, Scott District, spoke in opposition to the proposed text amendment. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following Ordinance. Mr. Robison seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 3-315 TO CREATE A NEW CLASSIFICATION FOR WHOLESALE TRADE ESTABLISHMENT WITH ASSOCIATED RETAIL SALES LARGER THAN 50,000 SQUARE FEET AND ALLOW THEM ONLY BY SPECIAL EXCEPTION IN THE C-2 AND I-1 DISTRICTS AND TO SECTION 3-312, SUBSECTIONS 4 AND 5, TO ALLOW RETAIL SALES IN BUILDINGS LARGER THAN 50,000 SQUARE FEET ONLY BY SPECIAL EXCEPTION IN THE C-2 AND C-3 DISTRICTS

WHEREAS, on April 26, 2005, the Planning Commission held a public hearing on this issue and forwarded the proposed text amendment to the Board of Supervisors with a unanimous vote recommending its adoption; and

WHEREAS, on June 9, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance, consistent with public convenience, general welfare, and good zoning practices, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 9th day of June 2005, That Sections 3-312 and 3-315 of the Fauquier County Zoning Ordinance be, and are hereby, amended as follows:

	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	I-1	I-2
3-315 WHOLESALING AND PROCESSING (CATEGORY 15)																		
1. Auction establishment	X		SP										SP	P		SP	P	
2. Commercial storage and processing of bulk agricultural products	X	SP	SP											SP			P	P
3. On-site processing and sales of agricultural and aquicultural products	X	P	P														P	P
4. Livestock exchange	X		SP															SP
5. Warehousing including moving and storage establishments	X													SP			P	P
6. Wholesale trade establishment with associated retail sales (50,000 sq. ft. or under)	X													SP			P	
7. Wholesale trade establishment with associated retail sales (over 50,000 sq. ft.)	X													SE			SE	
3-312 COMMERCIAL RETAIL (CATEGORY 12)																		
1. Antique shops less than 3000 sq. ft.	X		SP	SP	SP								P	P	P	P		
2. Antique shops more than 3000 sq. ft.	X												SP	P	P	SP		
3. Retail sales establishment and shopping center less than 5,000 sq.ft.	X												P	P	P	P		
4. Retail sales establishment and shopping center 5,000 sq.ft. or greater but less than 50,000 sq.ft.	X												SP	P	P	SP		
5. Retail sales establishment more than 50,000 sq. ft.	X													SE	SE			
6. Shopping center less than 200,000 sq. ft.	X														P			
7. Shopping center more than 200,000 sq. ft.	X														SE			
8. Convenience store	X												P	P	P	SP	SP	
9. Retail sales in conjunction with Category 16 or 17 uses		SE	SE											SP			SP	SP
10. Fuel yard, retail	X													SP				SP

PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES – LANDSCAPE BUFFERS

A public hearing was held to consider a Zoning Ordinance Text Amendment to amend Section 7-604 to allow modification of landscape buffering standards. Kimberley Johnson, Zoning Administrator, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following Ordinance. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 7-604 TO ALLOW MODIFICATION OF LANDSCAPE BUFFERING STANDARDS

WHEREAS, on April 26, 2005, the Planning Commission held a public hearing on this issue and forwarded the proposed text amendment to the Board of Supervisors with a unanimous vote recommending its adoption; and

WHEREAS, on June 9, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance, consistent with public convenience, general welfare, and good zoning practices, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 9th day of June 2005, That Section 7-604 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

7-604 Landscape and Buffering Requirements

[1 through 3 same]

4. Buffer Yard Waivers and Modifications.

Buffer yard requirements may be waived or modified by the Zoning Administrator in the following circumstances. The Zoning Administrator may attach conditions to any waiver or modification in order to assure that the results of the waiver or modification will be in accord with the intent of this ordinance.

a. Where the strict provisions of this section would reduce the usable area of a lot configuration or size to a point which would preclude a reasonable use of the lot, buffer yards may be waived, reduced and/or modified by the Zoning Administrator, upon showing that the building and/or yard has been designed to minimize adverse impact through a combination of architectural, landscape and/or other design techniques; **or**

b. The Zoning Administrator may waive, reduce and/or modify buffer yard requirements:

(1) If the topography of the lot providing the buffer yard and the lot being protected is such that the required buffer yard would not be effective; or

(2) For any public use when it has been specifically designed to minimize adverse impacts on adjacent properties; **or**

(3) When a land use is proposed adjacent to a lake, pond, wetland, or other natural area, which is to remain undeveloped, and which is at least 300 feet in width; **or**

c. The Zoning Administrator may waive, reduce and/or modify buffer yard requirements in RA and RC districts when, in the opinion of the Zoning Administrator, reasons or factors for employing buffers are not present; **or**

d. In cases where similar uses adjoin each other, the Zoning Administrator may approve a reduction in the buffer requirements between such similar uses. As appropriate and reasonable, the Zoning Administrator may require increased landscaping elsewhere on the site. The increased landscaping shall be focused in areas adjacent to potentially conflicting land uses, if such exist.

COMPREHENSIVE PLAN AMENDMENT CHAPTER 10 - TRANSPORTATION

A public hearing was held to consider proposed amendments to the Comprehensive Plan Chapter 10 – Transportation. Rick Carr, Director of the Department of Community Development, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Atherton moved to postpone a decision on the matter until the next regular meeting on July 14, 2005. Mr. Robison seconded and, following discussion, the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

SPECIAL EXCEPTION #SPEX05-CR-020 – FAUQUIER COUNTY BOARD OF SUPERVISORS, OWNER AND APPLICANT – WARRENTON-FAUQUIER AIRPORT

A public hearing was held to consider an application to obtain Special Exception approval under Category 21, which would allow for development as proposed in the Warrenton-Fauquier Airport Master Plan. The property is located on the west side of Warrenton Road (Route 610), Cedar Run District. (PIN #7809-78-6301-000, 7819-05-2089-000, 7809-95-1226-000, 7809-95-2820-000, 7809-88-9130-000, 7819-04-1889-000, 7809-95-4740-000, 7809-86-8607-000, 7900-40-8840-000, 7819-14-0300-000 and 7819-04-3611-000). Rick Carr, Director of the Department of Community Development, summarized the proposed amendment. Jim Van Luven, Chairman of the Airport Committee, requested favorable consideration of the application. Colin Cantrell, Scott District, and Joseph Davis, Scott District, spoke in opposition to the special exception application. No one else spoke. The public hearing was closed. Mr. Graham moved to postpone a decision on the matter until the next regular meeting on July 14, 2005. Mr.

Stribling seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

SPECIAL EXCEPTIONS #SPEX05-SC-030 AND SPEX05-SC-031 – FAUQUIER COUNTY SCHOOL BOARD AND LEARNING TREE FARMS, LLC, OWNER AND FAUQUIER COUNTY SCHOOL BOARD, APPLICANT – CLAUDE THOMPSON ELEMENTARY SCHOOL

A public hearing was held to consider an application to obtain Special Exception approval under Category 5, to allow for additions and renovations to the existing Claude Thompson Elementary School. The applicant also wishes to obtain Special Exception approval under Category 20 to allow for an above-ground water storage tank. The property is located at 3284 Rectortown Road (Route 710) in Marshall, Scott District (PIN #6061-85-3109-000, 6061-85-0752-000, 6061-85-1857-000, 6061-85-1771-000 and 6061-84-1757-000). Rick Carr, Director of the Department of Community Development, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

**A RESOLUTION TO APPROVE CLAUDE THOMPSON ELEMENTARY SCHOOL:
SPEX05-SC-030 A CATEGORY 5 SPECIAL EXCEPTION TO ALLOW FOR
ADDITIONS AND RENOVATIONS TO THE EXISTING SCHOOL AND SPEX05-SC-
031 A CATEGORY 20 SPECIAL EXCEPTION TO ALLOW FOR AN ABOVE
GROUND WATER STORAGE TANK**

WHEREAS, the Fauquier County School Board, applicant, is seeking Special Exception approval to allow for additions and renovations to the existing Claude Thompson Elementary School and to allow for an above ground water storage tank; and

WHEREAS, on May 26, 2005, the Fauquier County Planning Commission held a public hearing on the proposed Special Exceptions and recommended approval of the applications, subject to conditions; and

WHEREAS, on June 9, 2005, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors has determined that the application satisfies the standards of Zoning Ordinance Articles 5-006 and 5-2100; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of June 2005, That SPEX05-SC-030 and SPEX05-SC-031 be, and are hereby, approved, subject to the following conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat approved with this application, as qualified by these development conditions.
3. A Site Plan shall be required, pursuant to Article 12 of the Zoning Ordinance.
4. The applicant shall meet landscape and buffering requirements pursuant to the Zoning Ordinance.
5. No new structures shall be constructed or located within 100 feet of any adjoining property line, which is in a Rural or Residential zoning district.
6. All lighting shall be in conformance with the Fauquier County Zoning Ordinance and positioned downward, inward and shielded to eliminate glare from all adjacent properties.
7. The elementary school shall be allowed in the Rural Agricultural and Residential (R-1) Zoning District, per the request in Special Exception SPEX05-SC-030.
8. The elementary school shall not exceed 391 students.
9. The applicant shall satisfy and meet the Virginia Department of Transportation (VDOT) requirements for the two (2) existing school entrances.
10. Stormwater management and BMPs shall be required for the site.
11. The above ground water storage tank shall be allowed, per Special Exception SPEX05-SC-031 and Section 2-320.3 of the Zoning Ordinance.
12. The water tank shall be a horizontal structure approximately fifty (50) feet in length, ten (10) feet six (6) inches in diameter.

13. The water tank capacity shall be approximately 32,380 gallons to serve the school.
14. The water tank shall be painted green to blend in with existing vegetation.

REZONING #REZN05-SC-011 – ELEANOR J. BUTLER AND NICHOLAS F. & MICHELE A. GLOWICKI, OWNERS AND APPLICANTS – BROKEN HILLS – SECTION V

A public hearing was held to consider an application to rezone approximately two (2) acres from Residential-2 (R-2) to Residential-1 (R-1). The property is located on the northwest side of Riley Road (Route 676), Scott District. (PIN #7905-86-7609-000 and 7905-86-7871-000). Rick Carr, Director of the Department of Community Development, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Atherton seconded and, after discussion, the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE TO APPROVE REZN05-SC-011: REZONING OF BROKEN HILLS ESTATES, SECTION 5 – LOTS 2 & 3 FROM R-2 TO R-1

WHEREAS, the properties identified by PIN's #7905-86-7609-000 and 7905-86-7871-000 were created in the 1968 subdivision approval of Broke Hills Section 5; and

WHEREAS, because of errors in that approval process, the County Attorney has determined that Broken Hills Section 5 is not a legally platted subdivision; and

WHEREAS, PIN's #7905-86-7609-000 and 77905-86-7871-000 did not contain sufficient land area to be legally platted under its former Residential-1 (R-1) zoning designation; and

WHEREAS, on August 18, 2003, the Board of Supervisors rezoned the subject parcels to Residential-2 (R-2) to permit the subdivision of the two parcels to create legal conforming lots; and

WHEREAS, the applicants are now requesting a rezoning back to the original Residential-1 (R-1) zoning pursuant to the proffered conditions of the previous rezoning; and

WHEREAS, the Planning Commission conducted a public hearing on #REZN05-SC-011 and has forwarded a recommendation of approval to the Board of Supervisors; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 9th day of June 2005, that #REZN05-SC-011 be, and is hereby, approved.

**AGRICULTURAL AND FORESTAL DISTRICT RENEWALS AND ADDITIONS -
3RD RENEWAL OF THE SOUTHERN FAUQUIER DISTRICT, WITH THE
FOLLOWING ADDITIONS:**

A public hearing was held to consider Agricultural and Forestal District Renewals and Additions – 3rd Renewal of the Southern Fauquier District, with the following additions:

- a) Auburndale Farm, LLC, requesting to add 132.62 acres, having PIN #s of 7913-28-9695, 7913-48-1395, 7913-28-0321, 7913-39-3717, 7913-29-2378, 7913-39-9328 (Cedar Run District). The Planning Commission and the Agricultural and Forestal Advisory Committee recommended approval of this addition, subject to conditions; and
- b) James Alton Duvall, requesting to add 28.8 acres, having a PIN # of 6889-06-5463 (Lee District). The Planning Commission and the Agricultural and Forestal Advisory Committee recommended approval of this addition, subject to conditions. (Kimberley Johnson, Staff)

Kimberley Johnson, Zoning Administrator, summarized the applications. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

ORDINANCE

**AN ORDINANCE TO APPROVE THE THIRD RENEWAL OF AND TWENTY-FIRST
ADDITION TO THE SOUTHERN FAUQUIER AGRICULTURAL AND FORESTAL
DISTRICT**

WHEREAS, Section 15.2-4311, Code of Virginia (1950), as amended, states that the local governing body may complete a review of any district together with additions to such district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 9th day of June 2005, that the 3rd Renewal of and 21st Addition to the Southern Fauquier Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this renewal shall expire on June 30, 2014;
- 2) That this 21st Addition to the Southern Fauquier Agricultural and Forestal District be, and is hereby, added this 9th day of June 2005, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, until the expiration of the district on June 30, 2014;
- 3) That the Renewal, with additions, shall consist of the following parcel(s):

PIN	NAME	ACREAGE
6879-07-8523	GODFREY, GARY W.	42.17
6879-10-9751	COOL LAWN FARMS, LLC	181.00
6879-12-7845	COOL LAWN FARMS, LLC	82.05
6879-24-9800	COOL LAWN FARMS, LLC	205.89
6879-31-1103	WINTERMYER, MICHAEL J.	35.26
6879-54-7609	MIZZENTOP, LLC	79.76
6879-72-1813	BAKER, ROBERT WAYNE	74.14
6886-75-3923	FLOYD, ROBERT N. JR. TRUSTEE	103.00
6886-96-1553	OTT, FRANK C. JR.	36.42
6889-06-5463	DUVALL, JAMES ALTON	28.80
6896-06-9203	WEAVER, MICHAEL T.	5.88
6896-17-5045	WEAVER, BARRETT MASON	130.59
6896-19-4466	OTT, FRANK C. JR.	202.78
6897-04-8372	BOWEN, MARVIN M. JR.	200.96
6897-41-7045	OTT, FRANK C.	129.50
6897-54-6184	OTT, MORGAN B JR. HEIRS	289.00
6897-56-3628	NEALE, HAROLD P.	103.25
6897-68-7130	WILLINGHAM, KATHLEEN N	21.09
6897-75-7593	WILLINGHAM, KATHLEEN N	77.61
6897-78-8050	NEALE, WAYLAND D.	73.20
6897-79-1057	NEALE, WAYLAND D.	26.81
6897-83-1124	BOEKER, WOLFGANG	70.00
6897-92-4334	CHAPMAN, CLAUDE EDWIN JR.	45.59
6897-95-2340	OTT, FRANK C.	119.00
6898-41-0449	NEALE, HAROLD P.	32.00
6898-85-3578	MARTINEZ, LUIS	90.00
6898-86-9591	EDOSOMWAN, JOHNSON A. LLC	50.99
6899-98-5588	O.B. MESSICK & SONS INC.	50.00

6980-98-0480	HUMPHREY, SCOTT C TRUSTEE	140.80
6981-97-7603	JONES, KIMBEL L.	35.58
6990-17-8527	HUMPHREY, SCOTT C	34.97
6990-28-5012	HUMPHREY, SCOTT C	37.00
6990-49-3201	HUMPHREY, SCOTT C	113.99
6990-57-8530	WHIPPLE, DAVID A.	97.24
6990-59-5592	HUMPHREY, SCOTT C	40.00
6991-09-4133	DUNNE, GERALD J.	24.75
6991-19-3547	DUNNE, GERALD J.	20.84
6991-20-5732	CUBBAGE, KERMIT LEE	41.71
6991-39-3495	PRATT, SUSAN	78.55
6991-61-1801	HUMPHREY FAMILY LTD. PARTNERSHIP	283.83
6991-66-3391	DODD, JAMES H	100.00
6991-84-8356	KEYS, ROBERT GREEN	131.38
6992-00-5807	CRANWELL, MARY RIBBLE	59.86
6992-10-3227	DUNNE, GERALD J.	34.41
6992-11-8522	LUNCEFORD, LW	49.20
6992-22-2259	LUNCEFORD, LW	14.06
6992-41-0909	LUNCEFORD, LW	73.17
7806-09-7359	OTT, MORGAN B JR. HEIRS	170.00
7806-16-8456	OTT, FRANK C.	144.00
7806-18-6295	OTT, MORGAN B JR. HEIRS	32.00
7806-27-8529	OTT, MORGAN B JR. HEIRS	32.00
7806-36-5120	OTT, MORGAN B JR. HEIRS	59.70
7806-38-3727	MCCAMY, SHARON L	28.00
7806-38-9293	MCCAMY, SHARON L	27.75
7806-43-4885	OTT, FRANK C. JR.	0.57
7806-45-2256	OTT, MORGAN B JR. HEIRS	4.30
7806-47-3343	MCCAMY, SHARON L	25.00
7806-58-9683	GROVE, VIVIAN R.	196.41
7806-78-9041	GROVE, HOWARD L.	181.65
7807-00-9747	CHAPMAN, CLAUDE EDWIN JR.	29.50
7807-03-7136	CHAPMAN, CLAUDE EDWIN JR.	49.40
7807-11-1967	CHAPMAN, JOAN GULLEY	68.00
7807-30-1619	CHAPMAN, CLAUDE EDWIN JR.	41.75
7807-71-9288	PRICE, CLAUDE LEE JR.	114.85
7807-79-2793	RITCHIE, WILBUR EARLY II	25.70
7807-99-3475	RITCHIE, WILBUR EARLY II	62.50
7808-02-6829	OTT, MORGAN B JR. HEIRS	54.29
7808-52-4186	RITCHIE, CALVIN L. & JEAN	96.24
7808-62-2924	RITCHIE, CALVIN L. & JEAN	4.11
7808-81-5996	RITCHIE, RICKY L.	92.14
7808-96-5481	LYNSKEY, WILLIAM	28.78
7809-04-5692	AMR, ASAD T. TEE	105.12
7809-07-8304	CHAMBERS, MELVIN SCOTT	98.00
7809-26-2062	RAY, LEWIS	38.25
7809-36-2946	CHAMBERS, MELVIN SCOTT	83.00
7809-63-8850	GROHS, CARL C.	48.89
7809-65-5896	JONES, PAUL R.	132.56
7809-74-7722	WORMAN, VIRGINIA G.	11.28
7809-84-3431	WORMAN, VIRGINIA G.	34.01

7817-19-7492	HOLLOWAY, LEE TRUSTEE	112.00
7818-05-7823	GUERRA, SERAFIM	39.30
7818-15-2571	GUERRA, SERAFIM	7.58
7818-23-8648	GUERRA, SERAFIM	20.00
7818-32-0537	DICKERSON, CLARENCE E. TRUSTEE	66.16
7818-42-2183	DICKERSON, CLARENCE E. TRUSTEE	89.08
7818-43-1642	DICKERSON, ALLEN RANDOLPH	30.00
7818-53-9982	ARRINGTON, R WAYNE	69.28
7818-94-5644	BARB, RICHARD M. TRUSTEE	74.89
7819-29-0378	HI HOPE FARM LLC	14.35
7819-80-8734	ROBINSON, HELEN ELIZABEH & RANDOLPH	42.51
7826-65-8290	BLAKELY, ROBERT G. JR.	62.00
7826-77-8596	KNUDSON, ARTHUR B.C.	38.14
7827-48-3710	GROVE, LEONARD	57.00
7827-80-8696	KELLY, THOMAS W	70.00
7827-86-9468	GROVE, WARREN LEIGHTON	20.64
7827-96-7823	GROVE, WARREN L.	38.50
7827-97-1764	GROVE, HOWARD L. ESTATE	9.00
7828-08-6211	EMBREY, REBECCA	33.00
7828-18-5713	EMBREY, REBECCA	34.98
7828-29-6472	EMBREY, REBECCA	58.78
7828-54-5422	ARRINGTON, R WAYNE	20.00
7828-55-4356	ARRINGTON, R WAYNE	52.00
7828-64-8407	ARRINGTON, R WAYNE	1.50
7828-73-8250	GROVE, LEONARD	19.75
7828-74-0875	ARRINGTON, R WAYNE	53.00
7829-14-5311	HEFLIN, SUE F.	56.35
7829-15-6664	SCHREINER, JEFFREY	27.00
7829-21-2945	ARRINGTON, R WAYNE	134.91
7829-30-3420	DODSON, JOHN R	12.56
7829-32-8281	ARRINGTON, R WAYNE	97.50
7829-66-4059	PETERS, WILLIAM DAVID	111.82
7829-77-7303	PETERS, WILLIAM DAVID	30.00
7829-84-2043	PETERS, WILLIAM DAVID	177.03
7829-95-3367	PETERS, WILLIAM DAVID	30.00
7829-98-4688	PETERS, WILLIAM DAVID	53.08
7837-23-8602	BAILEY, CARL A.	53.34
7837-28-2728	GROVE, HOWARD L. ESTATE	422.25
7837-47-8877	PADGETT, CHARLES A. JR.	12.46
7837-56-1637	GROVE, LEONARD S.	177.16
7837-58-7123	PADGETT, CHARLES A. JR.	10.00
7837-58-9815	PADGETT, CHARLES A. JR.	10.00
7837-59-6459	PIOTTI-TANNER, ELAINE M	55.03
7837-65-9507	GROVE, WALTER	46.40
7837-68-7815	PIOTTI, WALTER T. JR.	10.00
7837-72-0253	GROVE, WALTER R.	59.50
7837-76-8006	GROVE, WALTER R	77.20
7837-83-2526	GROVE, WALTER	133.00
7837-95-3338	GROVE, WALTER	89.18
7838-16-0404	ALLEN, RUTHER E. SR.	250.00
7838-36-5755	FLETCHER, STEVE M.	29.89

7838-37-3837	FLETCHER, VIRGINIA E.	59.78
7839-01-3987	PETERS, WILLIAM D.	166.66
7839-22-2834	GEORGE, REBECCA M.	17.00
7839-29-0376	GEORGE, REBECCA M.	27.00
7839-37-4420	GEORGE, REBECCA M.	159.46
7839-51-8864	GEORGE, REBECCA M.	31.75
7847-04-6738	GROVE, WALTER R	57.90
7849-15-7177	HEFLIN, STANLEY M	121.75
7849-17-0225	HEFLIN, STANLEY M	152.00
7849-89-5147	GRAY, DENNIS E.	25.02
7901-03-2723	KEYS, ROBERT GREEN	2.00
7901-19-6286	GULICK, JAMES S. JR.	101.20
7901-55-7617	CLARK, JOHN C.	5.00
7901-75-5614	FENDLEY, WILLIAM G. III	309.85
7901-79-9613	RODGERS, DON R.	33.75
7901-87-9712	FENDLEY FAMILY PARTNERSHIP	211.84
7901-99-1055	RODGERS, CHARLES R.	21.71
7901-99-2675	RODGERS, THOMAS J.	21.71
7902-31-9641	RIDDELL, MILDRED GULICK	170.37
7910-31-3894	HI HOPE FARM LLC	15.20
7910-40-3834	HI HOPE FARM LLC	20.70
7910-41-1836	HI HOPE FARM LLC	20.00
7910-48-5951	NISSLEY, DAN J. JR.	82.50
7910-66-7828	BURTON, DAVID E.	30.00
7910-78-8487	BENDER, ALBERT J	185.00
7911-04-2206	SAVILLE, JOSEPH STEVEN	5.00
7911-05-7341	FENDLEY FAMILY PARTNERSHIP	75.76
7911-31-3752	DUTTON, DIANA	22.49
7911-32-6957	DUTTON, DIANA	50.13
7911-40-2437	NISSLEY, DAN J. JR.	14.00
7911-50-9752	NISSLEY, DAN J. JR.	98.00
7911-72-8868	BURTON, DAVID E	6.50
7911-77-0827	BURTON, DAVID E	255.30
7912-21-8310	HI HOPE FARM LLC	278.45
7912-94-1508	STILL WATERS FARM LLC	299.97
7912-97-9055	GULICK, EDWIN F. JR.	1.58
7913-17-1047	GREEN, HELEN W.	32.12
7913-28-0321	AUBURNDALE FARM, LLC	17.12
7913-28-9695	AUBURNDALE FARM, LLC	57.43
7913-29-2378	AUBURNDALE FARM, LLC	13.12
7913-39-3717	AUBURNDALE FARM, LLC	3.37
7913-39-9328	AUBURNDALE FARM, LLC	6.33
7913-47-8531	SCHEER, JULIAN W. & SUZANNE H.	42.88
7913-48-1395	AUBURNDALE FARM, LLC	35.25
7913-54-0871	STEVENS, MICHAEL L.	96.10
7913-56-3429	SCHEER, SUZANNE H.	59.64
7913-63-5801	STEVENS, MICHAEL L.	50.00
7913-64-7884	STEVENS, MICHAEL L.	50.00
7913-68-7286	SCHEER, SUZANNE H.	75.00
7913-77-9039	SCHEER, SUZANNE H.	102.00
7913-80-2466	SHROCK, RAYMOND	373.59

7913-82-9992	WILLIAMS, EILEEN VIRGINIA ANDERSON	33.00
7913-85-5982	WOODWARD, NORMAN J. TRUSTEE	21.38
7913-89-2454	SCHEER, SUZANNE H.	49.70
7913-96-4652	WOODWARD, NORMAN J. TRUSTEE	19.72
7913-96-9470	WOODWARD, NORMAN J. TRUSTEE	0.83
7913-97-5454	WOODWARD, NORMAN J. TRUSTEE	16.11
7913-99-2091	SCHEER, SUZANNE H.	30.00
7914-60-6350	SCHEER, JULIAN W. & SUZANNE H.	64.92
7920-44-4496	HI HOPE FARM LLC	52.63
7920-55-5395	HI HOPE FARM LLC	2.00
7920-86-5877	BASSETT, JAMES S.	47.74
7921-34-5028	TRUMBO, DOUGLAS C.	82.73
7921-73-9426	TRUMBO, DOUGLAS C.	245.00
7921-88-1524	CEDAR RUN WETLANDS	97.78
7921-93-0031	BROWN, HERBERT ANDREW	31.86
7922-08-5486	GULICK, EDWIN F.	124.91
7923-01-4219	SHROCK FAMILY LOT 2	1.15
7923-01-5251	SHROCK FAMILY LOT 3	1.10
7923-05-7494	MEHLMAN, NELLA SUE	6.75(pt)
7923-06-2684	WOODWARD, PAMELA B	9.94
7923-16-4184	MEHLMAN, MURIEL	31.84(pt)
7923-65-1588	BENDER, LUCY J.	135.79
7923-76-2734	BENDER, LUCY J.	39.60
7923-98-4397	NISSLEY, LEE ROY	198.00
7930-03-6943	BOONE, W. LAMAR ,JR.	10.31
7930-12-8812	BOONE, WYATT L.	10.62
7930-14-2154	BOONE, WYATT L.	29.12
7930-21-3266	GEORGE, REBECCA M.	29.75
7930-22-7876	BOONE, WYATT L.	23.19
7930-30-8631	GEORGE, REBECCA M.	43.00
7930-31-0334	GEORGE, REBECCA M.	15.25
7930-46-5894	BURTON, JULIA P.	84.50
7930-58-5446	BURTON, JULIA P.	11.59
7930-65-7896	BURTON, JULIA P.	258.70
7930-73-7042	BURTON, JULIA P.	26.81
7930-83-2493	BURTON, JULIA P.	1.02
7930-83-4101	BURTON, JULIA P.	5.02
7930-87-3968	BURTON, JULIA P.	46.69
7931-08-6135	RUSSELL, WILLIAM EDWIN	1.37
7931-19-0253	RUSSELL, WILLIAM EDWIN	130.53
7931-81-6974	HEDDINGS, BERLE LYNN	114.50
7933-14-2063	FLORY, MARIEL S. TRUST	22.50
7933-16-2249	NISSLEY, LEE ROY	34.00
7933-23-2274	FLORY, MARIEL S. TRUST	141.06
7933-43-3315	FLORY, MARIEL S. TRUST	54.80
7940-70-8202	GRAHAM, RAYMOND E.	25.04
7941-23-3304	BENDER, LEWIS J. & MARTHA	251.89

; and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4309 of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. All uses allowed by right in the applicable zoning district(s) for each parcel listed shall require a special exception, except for agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family. No special exception shall be in conflict with the purposes for which the District was created.
 - b. Subdivisions of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance are not permitted.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Section 58.1-3229 and 58.1-3244 of the Code of Virginia.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the Code of Virginia.
4. That lawful termination of any owner's association in the district shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4309 of the Code of Virginia.
5. If any portion of a parcel less than 25 acres is sold, boundary line adjusted or divided, then the entire parcel shall automatically be removed from the District.
6. If any portion of a parcel greater than 25 acres is sold, boundary line adjusted or divided to below 25 acres then any portion less than 25 acres shall automatically be removed from the District.
7. On June 30, 2014, the District shall expire.

**AGRICULTURAL AND FORESTAL DISTRICT RENEWALS AND ADDITIONS -
3RD RENEWAL OF THE MIDDLEBURG MARSHALL DISTRICT, WITH THE
FOLLOWING ADDITIONS:**

A public hearing was held to consider Agricultural and Forestal District Renewals and Additions – 3rd Renewal of the Middleburg Marshall District, with the following additions:

- a) Greater Cotland, LLC, requesting to add 51.76 acres, having a PIN # of 6081-99-1286 (Scott District); and
- b) Jerome and Marjorie Principato, requesting to add 106.65 acres, with PIN #s of 6091-97-4445, 7001-07-7765, 7001-06-4176 (Scott District). The Planning Commission and the Agricultural and Forestal Advisory Committee recommended approval of this addition, subject to conditions.

Kimberley Johnson, Zoning Administrator, summarized the applications. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

ORDINANCE

AN ORDINANCE TO APPROVE THE THIRD RENEWAL OF AND EIGHTEENTH ADDITION TO THE MIDDLEBURG MARSHALL AGRICULTURAL AND FORESTAL DISTRICT

WHEREAS, Section 15.2-4311, Code of Virginia (1950), as amended, states that the local governing body may complete a review of any district together with additions to such district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 9th day of June 2005, that the 3rd Renewal of and 18th Addition to the Middleburg Marshall Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this renewal shall expire on June 30, 2014;
2. That this 18th Addition to the Middleburg Marshall Agricultural and Forestal District be, and is hereby, added this 9th day of June 2005, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, until the expiration of the district on June 30, 2014;
3. That the Renewal, with additions, shall consist of the following parcel(s):

PIN	NAME	ACREAGE
6051-25-4705	KEAHON, ANDREW T.	12.40
6051-26-8236	KEAHON, ANDREW T.	13.00
6051-67-4067	LEWIS, CHRISTOPHER	39.96
6051-78-3671	BENITZ, CYNTHIA	37.49
6052-80-5418	STARKE, BARRY W.	48.78
6060-76-5385	PIPER ENTERPRISES, LTD.	50.38
6060-85-9421	PIPER ENTERPRISES, LTD.	50.27
6060-87-3468	PIPER ENTERPRISES, LTD.	50.68
6060-88-0315	LAUH, LENNIE E.	50.00
6060-93-3389	PIPER ENTERPRISES, LTD.	51.31
6060-96-2726	PIPER ENTERPRISES, LTD.	50.68
6060-98-2882	THOMPSON, R. MOSES	16.47
6061-02-8266	WINANTS, PETER	105.50
6061-23-4491	HIGGINSON, THOMAS L. JR.	21.85
6061-25-2091	HIGGINSON, THOMAS L., JR.	75.04
6061-34-4374	HIGGINSON, THOMAS L., JR.	33.28
6061-45-4229	KEENAN, FLORENCE R.	42.24
6061-47-3989	DUNN, TIMOTHY P.	30.00
6061-65-6410	KEENAN, FLORENCE R.	193.45
6061-67-1312	CRAWFORD, JESSE C.	26.63
6062-61-9473	WARRENTON KENNEL CLUB INC	37.51
6070-04-4186	BOWEN, JOHN WILLIAM	51.30
6070-05-8767	CAELI FARMS, LLC	123.39
6070-17-9784	GRAHAM, DONALD E. TRUSTEE	163.64
6070-36-6236	PRINCE, FREDERICK H.	181.16
6070-44-5328	QUIGLEY, ELIZABETH KERNAN	26.19
6070-49-2392	HACKMAN, WILLIAM M., TEE	191.98
6070-53-7442	PJF LIMITED PARTNERSHIP	50.00
6070-54-4537	QUIGLEY, ELIZABETH KERNAN	26.00
6070-55-4363	MET, MORRIS, TRUSTEE	26.00
6070-58-1032	MUSS, JOSHUA A. TRUSTEE	32.09
6070-65-2993	MOONEY, GARY MICHAEL	34.16
6070-66-2971	QUIGLEY, ELIZABETH KERNAN	51.57
6070-84-0501	ALLMAN, DONALD K., TRUSTEE	93.92
6070-96-4582	LEE, JENNIFER BROOKS	93.73
6071-05-4919	ORANGE COUNTY LAND TRUST LLC	101.31
6071-14-9272	DARLINGTON, JENNIE	152.77
6071-15-4656	ORANGE COUNTY LAND TRUST	50.00
6071-32-6665	BEYER, CYNTHIA	113.91
6071-46-5920	ORANGE COUNTY LAND TRUST LLC	298.78
6071-51-5143	WHITEHOUSE, CHARLES S. REVOCABLE TRUST	5.47
6071-60-3823	HACKMAN, WILLIAM M., TRUSTEE	7.53
6071-61-0847	WHITEHOUSE, CHARLES S. REVOCABLE TRUST	67.93
6071-63-4897	DARLINGTON, EDITH P. TRUSTEE	274.49
6071-66-0866	DAVIS, LAWRENCE S.	51.28
6071-70-4721	JAWER, MARVIN R.	49.49

6071-71-6631	WHITEHOUSE, CHARLES S. REVOCABLE TRUST	3.88
6071-75-4723	HESSE, PAUL A.	61.31
6071-80-7297	WOLF, DELORES E. TRUSTEE	60.36
6071-81-6356	SCOTT, WILLIAM H.	38.38
6071-92-3782	WOLF, STEPHEN M., TEE	88.92
6071-95-0533	BOLES, JOHN M.	74.14
6072-62-9104	NEWTON, ROBERT W.	57.98
6072-78-7919	MR, LLC	89.65
6072-95-0804	SMITTEN FARM, LLC	367.32
6072-99-8384	BEN-DOV, ZOHAR	2.18
6073-82-5336	SPREADBURY, PETER E., TRUSTEE	100.00
6073-83-7912	BEN-DOV, ZOHAR	103.28
6081-01-2074	WOLF, STEPHEN M., TEE	24.13
6081-01-5942	WOLF, STEPHEN M., TEE	21.91
6081-02-8675	WOLF, STEPHEN M., TEE	15.70
6081-05-2231	DARBY, DANNY LEE	54.60
6081-14-2390	DUNGAN, THOMAS F. JR.	100.00
6081-16-0645	DARBY, DANNY L.	50.00
6081-18-8288	GIOVENCO, JOHN V.	50.00
6081-23-5884	NICHOLOSON, ROBERT H., TRUSTEE	26.12
6081-25-7937	YOUNG, ROBERT M.	87.69
6081-31-0876	WOLF, STEPHEN M., TEE	143.63
6081-35-2003	HARTLEY, DAVID LEE	8.50
6081-46-9391	SALAMANDER GROUP, LLC	121.61
6081-47-7562	SALAMANDER GROUP, LLC	11.65
6081-63-5620	RATCLIFF, MURIEL M. TRUSTEE	130.76
6081-65-4827	SYMINGTON, JAMES W., CO-TRUSTEE	61.32
6081-67-4158	SYMINGTON, JAMES W.	3.37
6081-68-9803	WILEY, JAMES CARTER	67.19
6081-95-6353	CHAPMAN, HENRY O. III	28.80
6081-99-1286	GREATER COTLAND, LLC	51.76
6082-09-0686	BEN-DOV, ZOHAR	2.54
6082-09-7085	BEN-DOV, ZOHAR	50.00
6082-12-3223	SMITTEN FARM, LLC	326.53
6082-28-2736	BEN-DOV, ZOHAR	154.95
6082-41-8885	SHARP, EMILY TALBOT, TRUSTEE	31.99
6082-42-1391	SHARP, JOHN T.	12.13
6082-49-2031	BRYANT, JOHN, CO-TRUSTEE	78.89
6082-50-6815	LUELLEN, SCOTT E.	25.00
6082-61-9211	ANDERSON, THOMAS H. JR.	64.00
6082-67-8532	BRYANT, JOHN, CO-TRUSTEE	262.50
6082-69-1722	BRYANT, JOHN CO-TRUSTEE	15.00
6082-80-3993	ANDERSON, THOMAS	80.25
6082-88-2991	BRYANT, JOHN CO-TRUSTEE	30.13
6082-96-6117	LAMB, STEVEN G.	236.12
6083-02-6874	BEN-DOV, ZOHAR	119.42
6083-15-5258	ANSARI, MICHAEL S.	100.04
6083-18-1154	OEJI FARMS, LLC	134.54
6083-26-4629	ANSARI, MICHAEL S.	30.00
6083-37-3617	ANSARI, MICHAEL S.	30.66

6083-41-1445	BRYANT, JOHN CO-TRUSTEE	166.11
6083-50-9459	BRYANT, JOHN CO-TRUSTEE	30.80
6083-81-4046	BRYANT, JOHN CO-TRUSTEE	273.19
6083-84-0958	TAWASTSTJERNA, JACQUELINE	51.34
6091-16-1283	ABEEL, SCOTT F.	94.18
6091-17-5828	LITTLE COTLAND FARM LLC	117.17
6091-38-0202	MATHESON, MALCOLM III	93.81
6091-47-2859	DAVIS, CLARK F.	26.33
6091-89-8212	HAYES, JESSICA THAYER ESTATE	58.50
6091-97-4445	PRINCIPATO, JEROLD & MARJORIE	43.76
6092-01-8432	HUTCHISON, RICHARD H. JR. ESTATE	61.49
6092-08-4419	COUZENS, WILLIAM ULRICH TRUSTEE	50.27
6092-13-4322	DANKO, DENNIS G. TRUSTEE	108.67
6092-24-7365	PISCHKE, STEVEN K.	100.50
6092-33-6661	BURNT MILL FARM INC	105.53
6092-35-7876	MILLS, JAMES P. JR.	80.50
6092-38-2191	ABEL-SMITH, MARY MILLS	180.00
6092-42-8531	BURNT MILL FARM INC	109.80
6092-60-6428	PHILLIPS, BERNARD R. III, TRUSTEE	50.00
6092-61-9348	FLAHERTY, MICHAEL P.	52.39
6092-65-3362	BURNT MILL FARM INC	261.02
6092-77-0449	MILLS, JAMES P. JR.	144.75
6092-91-1216	FAZAKERLEY, GREGORY W.	101.94
6092-93-6329	EDENS, EDWARD H. IV	2.97
6093-10-4940	BRYANT, JOHN CO-TRUSTEE	178.96
6093-33-2569	HICKORY TREE FARM INCORPORATED	112.76
6093-51-3615	HICKORY TREE FARM INCORPORATED	289.59
6093-70-3658	MILLS, JAMES P. JR.	57.15
7001-06-4176	PRINCIPATO, JEROLD & MARJORIE	20.00
7001-07-7765	PRINCIPATO, JEROLD & MARJORIE	42.90
7002-35-3431	NETTERE, ERIC B.	204.99
7002-42-1748	DAVIS, JAMES G. JR.	50.00
7002-47-8754	OZ, LLC	102.24
7002-54-6293	OZ, LLC	209.81
7002-77-2298	BRAGA, MARY S. B.	333.19
7002-83-1036	OZ, LLC	192.12
7003-42-4740	COCHRAN, CARLYLE VD, CO-TRUSTEE	37.50
7003-52-1081	ROWLEY, JAMES M	15.60
7003-71-7361	MORENCY, MICHAEL	336.70
7011-08-2816	MCMAHON, PAUL E.	46.61
7012-07-9911	PURRSFIELD FARM EAST LLC	118.04
7012-29-2602	HOPPER, HARRY F. III	116.73
7012-59-1312	HOPPER, HARRY F. III	84.73

; and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4309 of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall

apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.

- a. All uses allowed by right in the applicable zoning district(s) for each parcel listed shall require a special exception, except for agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family. No special exception shall be in conflict with the purposes for which the District was created.
 - b. Subdivisions of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance are not permitted.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Section 58.1-3229 and 58.1-3244 of the Code of Virginia.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the Code of Virginia.
4. That lawful termination of any owner's association in the district shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4309 of the Code of Virginia.
5. If any portion of a parcel less than 25 acres is sold, boundary line adjusted or divided, then the entire parcel shall automatically be removed from the District.
6. If any portion of a parcel greater than 25 acres is sold, boundary line adjusted or divided to below 25 acres then any portion less than 25 acres shall automatically be removed from the District.
7. On June 30, 2014, the District shall expire.

**AGRICULTURAL AND FORESTAL DISTRICT RENEWALS AND ADDITIONS -
3RD RENEWAL OF THE COBBLER MOUNTAIN DISTRICT, WITH THE
FOLLOWING ADDITION:**

A public hearing was held to consider Agricultural and Forestal District Renewals and Additions – 3rd Renewal of the Cobbler Mountain District, with the following addition:

- a) Thomas and Patricia Fabyanic, requesting to add 66.97 acres, having a PIN # of 6938-75-5798 (Marshall District). The Planning Commission and the Agricultural and Forestal Advisory Committee recommended approval of this addition, subject to conditions.

Kimberley Johnson, Zoning Administrator, summarized the applications. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

ORDINANCE

AN ORDINANCE TO APPROVE THE THIRD RENEWAL OF AND SEVENTH ADDITION TO THE COBBLER MOUNTAIN AGRICULTURAL AND FORESTAL DISTRICT

WHEREAS, Section 15.2-4311, Code of Virginia (1950), as amended, states that the local governing body may complete a review of any district together with additions to such district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 9th day of June 2005, that the 3rd Renewal of and 7th Addition to the Cobbler Mountain Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this renewal shall expire on June 30, 2014;
2. That this 7th Addition to the Cobbler Mountain Agricultural and Forestal District be, and is hereby, added this 9th day of June 2005, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, until the expiration of the district on June 30, 2014;
3. That the Renewal, with additions, shall consist of the following parcel(s):

PIN	NAME	ACREAGE
6040-55-7168	VOS, PATRICIA BARRAZA	50.00
6938-75-5798	FABYANIC, THOMAS & PATRICIA	66.97
6938-85-7801	WEST, RANDALL L.	28.17
6939-92-3351	VICKERY, RAYMOND E. & CLARENCE H.	63.35
6939-93-3309	HUNTER, CHARLES M. & CARMELITA C.	131.63
6948-26-0778	WARD, TRUMAN & MARGARET	16.00
6948-27-3360	WARD, GEORGE TRUMAN JR.	7.00
6948-27-5586	WARD, ROBERT STEPHEN	10.39

6948-27-8889	WARD, GEORGE T. & MARGARET H.	5.47
6948-28-4007	WARD-HALE, DONNA LYNN	10.00
6948-28-7481	WARD, GEORGE T. & MARGARET H.	10.10
6948-34-2841	BUTLER, JAMES G. JR. & HAZEL	318.49
6948-38-3701	WARD, GEORGE T. & MARGARET H.	5.27
6948-47-5527	WINE, PHILIP E.	104.00
6948-52-6953	FISHBACK, WILLIAM E.	347.30
6948-56-7881	WINE, PHILIP E.	104.00
6948-68-5969	VERMONT FARM, LLC	105.61
6948-76-5358	WINE, PHILIP E.	153.32
6948-83-6063	PEASE, CLINTON L. JR.	50.21
6948-93-9100	VERMONT FARM, LLC	50.12
6948-94-1241	VERMONT FARM, LLC	53.84
6948-95-4518	MCCARTY, HAROLD E. JR.	117.79
6949-07-4185	DOELLER, MARSHALL DEFOREST	51.00
6949-18-4813	DOELLER, MARSHALL DEFOREST	114.21
6949-21-2815	RECTOR, JULIAN & HACKER, VICTOR	107.27
6949-31-8425	PIERCE, THOMAS L.	36.00
6949-35-1012	RECTOR, JULIAN & HACKER, VICTOR	142.30
6949-92-7787	EVANS, DAVID R.	25.00

; and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4309 of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. All uses allowed by right in the applicable zoning district(s) for each parcel listed shall require a special exception, except for agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family. No special exception shall be in conflict with the purposes for which the District was created.
 - b. Subdivisions of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance are not permitted.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Section 58.1-3229 and 58.1-3244 of the Code of Virginia.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the Code of Virginia.

4. That lawful termination of any owner's association in the district shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4309 of the Code of Virginia.
5. If any portion of a parcel less than 25 acres is sold, boundary line adjusted or divided, then the entire parcel shall automatically be removed from the District.
6. If any portion of a parcel greater than 25 acres is sold, boundary line adjusted or divided to below 25 acres then any portion less than 25 acres shall automatically be removed from the District.
7. On June 30, 2014, the District shall expire.

**AGRICULTURAL AND FORESTAL DISTRICT RENEWALS AND ADDITIONS -
1ST RENEWAL OF THE RED OAK MOUNTAIN DISTRICT, WITH THE
FOLLOWING ADDITION:**

A public hearing was held to consider Agricultural and Forestal District Renewals and Additions – 1st Renewal of the Red Oak Mountain District, with the following addition:

- a) Gary and Kareen McGhee, requesting to add 43.73 acres, having a PIN # of 6020-04-8310 (Marshall District). The Planning Commission and the Agricultural and Forestal Advisory Committee recommended approval of this addition, subject to conditions.

Kimberley Johnson, Zoning Administrator, summarized the applications. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

**A RESOLUTION TO DENY THE FIRST RENEWAL OF AND FIRST ADDITION TO
THE RED OAK MOUNTAIN AGRICULTURAL AND FORESTAL DISTRICT**

WHEREAS, Section 15.2-4311, of the Code of Virginia (1950), as amended, states that the local governing body may complete a review of any district together with additions to such district; and

WHEREAS, the Red Oak Mountain Agricultural and Forestal District will expire on August 19, 2005 and is currently being considered for renewal; and

WHEREAS, the owners of all of the parcels in the Red Oak Mountain Agricultural and Forestal District have requested their parcels be withdrawn from the district; and

WHEREAS, the district no longer contains any acreage and all requirements of Section 15.2-4305, of the Code of Virginia, (1950), as amended, have not been met; and

WHEREAS, Section 15.2-4305 of the Code of Virginia requires a minimum of 200 acres in one parcel or in contiguous parcels, and the proposed addition does not meet the minimum acreage requirement and is, therefore, ineligible for addition to the district; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of June 2005, That the 1st Renewal of and 1st Addition to the Red Oak Mountain Agricultural and Forestal District be, and is hereby, denied; and, be it

RESOLVED FURTHER, That the Red Oak Mountain Agricultural and Forestal District will expire on August 19, 2005.

AGRICULTURAL AND FORESTAL DISTRICT RENEWALS AND ADDITIONS - 2ND RENEWAL OF THE PARIS VALLEY DISTRICT

A public hearing was held to consider Agricultural and Forestal District Renewals and Additions – 2nd Renewal of the Paris Valley District. The Planning Commission and the Agricultural and Forestal Advisory Committee recommended approval of this renewal, subject to conditions. Kimberley Johnson, Zoning Administrator, summarized the applications. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE TO APPROVE THE SECOND RENEWAL OF THE PARIS VALLEY AGRICULTURAL AND FORESTAL DISTRICT

WHEREAS, Section 15.2-4311, Code of Virginia (1950), as amended, states that the local governing body may complete a review of any district together with additions to such district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 9th day of June 2005, that the 2nd Renewal of the Paris Valley Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this renewal shall expire on June 30, 2014;
2. That the Renewal, with additions, shall consist of the following parcel(s):

PIN	NAME	ACREAGE
6034-80-4823	DEGIVE, DAVID	90.29
6023-86-4564	HUDSON, JOHN EDGAR	260.96

; and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4309 of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. All uses allowed by right in the applicable zoning district(s) for each parcel listed shall require a special exception, except for agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family. No special exception shall be in conflict with the purposes for which the District was created.
 - b. Subdivisions of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance are not permitted.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Section 58.1-3229 and 58.1-3244 of the Code of Virginia.

3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the Code of Virginia.
4. That lawful termination of any owner's association in the district shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4309 of the Code of Virginia.
5. If any portion of a parcel less than 25 acres is sold, boundary line adjusted or divided, then the entire parcel shall automatically be removed from the District.
6. If any portion of a parcel greater than 25 acres is sold, boundary line adjusted or divided to below 25 acres then any portion less than 25 acres shall automatically be removed from the District.
7. On June 30, 2014, the District shall expire.

REZONING #REZN05-CR-004 - SEELEY BROOKFIELD, LLC, OWNER AND SHENANDOAH DEVELOPMENT, LLC, APPLICANT – GREEN SPRINGS

A public hearing was held to consider an application to rezone approximately 165.0 acres from Residential-1 (R-1) to Residential-2 (R-2) in order to allow for up to seventy-two (72) residential units on PIN #6981-44-4079-000 and six (6) units on PIN #6981-27-6354-000. The property is located on the east side of Routes 29/15/17 and southeast of Avenel Drive, Cedar Run District. (PIN #6981-27-6354-000 and 6981-44-4079-000). Melissa Dargis, Assistant Chief of Planning, summarized the application. John Foote, representing the Applicant, requested an extension of time for consideration of the application. Mitch Hostettler, of Fauquier Housing Corporation; Brian McCarran, President of the Northern Virginia Builders Industry Association; Steve Potucek, Marshall District; and Paul Bernard, Marshall District, spoke in favor of the affordable housing component of the proposed development; Steve Miller, Cedar Run, spoke in support of affordable housing, however, expressed concerns regarding lack of notification to adjacent property owners; Robert Oliveri, Cedar Run District, spoke in support of affordable housing, but opposed granting the applicant's request for higher density. Whit Tremble, Center District, spoke in favor of the application. Robert DunLeavy, Scott District; Jolly deGive, representing the Piedmont Environmental Council; Kitty Smith, Marshall District; and Jim Haskell, Cedar Run District, spoke in opposition to the application. No one else spoke. Mr. Graham moved to continue the public hearing and postpone a decision in the matter until the next regular meeting on July 14, 2005. Mr. Robison seconded and, following discussion, the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

With no further business, the meeting was adjourned at 9:10 P.M.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on June 9, 2005.

Paul S. McCulla
Clerk to the Board of Supervisors